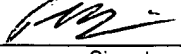


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Signature

12/4/06  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF  
**SHIRIN FORD, ET AL.**

APPLICATION NO: **10/594,211**

FILED: **03/28/2005**

FOR: **BIOMARKERS AND METHODS FOR DETERMINING SENSITIVITY TO  
EPIDERMAL GROWTH FACTOR RECEPTOR MODULATORS IN NON-SMALL  
CELL LUNG CANCER**

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INFORMATION DISCLOSURE STATEMENT

Sir:

This paper is being filed within three months of the date of entry of the national stage. Therefore, no fees are required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-3880.


In accordance with 37 C.F.R. §1.56, applicant wishes to call the Examiner's attention to the references cited on the attached form(s) PTO-1449.

Pursuant to the OG Notice of August 5, 2003 for U.S. national applications filed after June 30, 2003, the requirement for submitting a copy of each cited U.S. patent and each cited U.S. patent application publication is waived, copies of the U.S. patent and U.S. patent publications are not submitted. Copies of foreign patent documents and non-patent literature, if cited, are enclosed

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000



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Paul D. Golian  
Attorney for Applicant  
Reg. No. 42,591  
Phone: 609-252-4091  
Date: 12/4/06

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**COMPLETE IF KNOWN**

Application Number	10/594,211
Filing Date	03/28/2005
First Named Inventor	SHIRIN FORD
Art Unit	
Examiner Name	
Attorney Docket Number	10219 US PCT

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STATEMENT BY APPLICANT(S)**

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**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No.	Document Number	Publication date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	4,943,533	07/24/1990	Mendelsohn et al.	
	AB	5,196,446	03/23/1993	Levitzki et al.	
	AC	5,558,864	09/24/1996	Bendig et al.	
	AD	5,569,588	10/29/1996	Ashby et al.	
	AE	5,616,582	04/01/1997	Barker	
	AF	5,646,153	07/08/1997	Spada et al.	
	AG	5,656,655	08/12/1997	Spada et al.	
	AH	5,679,683	10/21/1997	Bridges et al.	
	AI	5,891,996	04/06/1999	Mateo de Acosta del Rio et al.	
	AJ	6,235,883	05/22/2001	Jakobovits et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Check box if English language translation is attached
	AK	WO2004/63709	07/29/04	PCT		<input type="checkbox"/>
	AL	WO2005/67667	07/28/2005	PCT		<input type="checkbox"/>
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PTO/SB/08B (8/03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE													
Substitute for form 1449/PTO  <div style="text-align: center;"> <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)</b>  <i>(use as many sheets as necessary)</i> </div>	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 5px;"> <b>COMPLETE IF KNOWN</b> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number</td> <td style="padding: 2px;">10/594,211</td> </tr> <tr> <td style="padding: 2px;">Filing Date</td> <td style="padding: 2px;">03/28/2005</td> </tr> <tr> <td style="padding: 2px;">First Named Inventor</td> <td style="padding: 2px;">SHIRIN FORD</td> </tr> <tr> <td style="padding: 2px;">Art Unit</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">Examiner Name</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">Attorney Docket Number</td> <td style="padding: 2px;">10219 US - PCT</td> </tr> </table>	Application Number	10/594,211	Filing Date	03/28/2005	First Named Inventor	SHIRIN FORD	Art Unit		Examiner Name		Attorney Docket Number	10219 US - PCT
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Sheet <span style="margin: 0 20px;">2</span> of <span style="margin: 0 20px;">3</span>													

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article(when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	Check box if English language Translation is attached
	2AA	Alizadeh, A. et al., "Distinct types of diffuse large B-cell lymphoma identified by gene expression profiling", Nature, Vol. 403, pp. 503-511 (2000)	
	2AB	Alon, U. et al., "Broad patterns of gene expression revealed by clustering analysis of tumor and normal colon tissues probed by oligonucleotide arrays", Proc. Natl. Acad. Sci., Vol. 96, pp. 6745-6750 (1999)	
	2AC	Bittner, M. et al., "Molecular classification of cutaneous malignant melanoma by gene expression profiling", Nature, Vol. 406, pp 536-540 (2000)	
	2AD	Blanchard, A. et al., "Sequence to array: Probing the genome's secrets", Nature Biotechnology, Vol. 14, pp. 1649 (1996)	
	2AE	Cockett, M. et al., "Applied genomics: integration of the technology within pharmaceutical research and development", Current Opinion in Biotechnology, Vol. 11, pp. 602-609 (2000)	
	2AF	Fry, David, et al., "A Specific Inhibitor of the Epidermal Growth Factor Receptor Tyrosine Kinase", Science, Vol. 265, pp. 1093-1095 (1994)	
	2AG	Glinsky, G. et al., "Gene expression profiling predicts clinical outcome of prostate cancer", The J. of Clinical Investigation, Vol. 113(6), pp. 913-923 (2004)	
	2AH	Golub, T.R. et al., "Molecular Classification of Cancer: Class Discovery and Class Prediction by Gene Expression Monitoring", Science, Vol. 286, pp. 531-537 (1999)	
	2AI	Khan, J. et al., "Classification and diagnostic prediction of cancers using gene expression profiling and artificial neural networks", Nature Medicine, Vol.7(6), pp. 673-679 (2001)	
	2AJ	Khan, J. et al., "Gene expression profiling of Alveolar Rhabdomyosarcoma with cDNA Microarrays", Cancer Research, Vol. 58, pp. 5009-5013 (1998)	
	2AK	Lockhart, D. J. et al., "Expression monitoring by hybridization to high-density oligonucleotide arrays", Nature Biotechnology, Vol. 14, pp. 1675-80 (1996)	
	2AL	Panek, R.L. et al., "In Vitro Pharmacological Characterization of PD 166285, a New Nanomolar Potent and Broadly Active Protein Tyrosine Kinase Inhibitor", The J. of Pharmacology & Experimental Therapeutics, Vol. 283(3), pp. 1433-1444 (1997)	

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**COMPLETE IF KNOWN**

Application Number	10/594,211
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Art Unit	
Examiner Name	
Attorney Docket Number	10219 US - PCT

Sheet

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of

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**NON PATENT LITERATURE DOCUMENTS**

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	3AA	Schena, M. et al., "Quantitative Monitoring of Gene Expression Patterns with a Complementary DNA Microarray", Science, Vol. 270, pp. 467-470 (1995)	
	3AB	Shipp, M. et al., "Diffuse large B-cell lymphoma outcome prediction by gene-expression profiling and supervised machine learning", Nature Medicine, Vol. 8(1), pp. 68-74 (2002)	
	3AC	Sonneveld, P., "Multidrug resistance in haematological malignancies", Journal of Internal Medicine, Vol. 247, pp. 521-534 (2000)	
	3AD	Sørli, T. et al., "Gene expression patterns of breast carcinomas distinguish tumor subclasses with clinical implications", PNAS, Vol. 98(19), pp. 10869-10874 (2001)	
	3AE	van't Veer, L.J. et al., "Gene expression profiling predicts clinical outcome of breast cancer", Nature, Vol. 415, pp. 530-536 (2002)	
	3AF	Wands, J. et al., "High Affinity Monoclonal Antibodies to Hepatitis B surface Antigen (HB <sub>s</sub> Ag) produced by Somatic Cell Hybrids", Gastroenterology, Vol. 80(2), pp. 225-32 (1981)	

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